



COUNCIL REPORT

DATE: September 12, 2023

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Well Abandonments 10, 17, and 20, Project 19-39, and South Whisman Park (Pyramid Park), Project 21-45— Construction Acceptance**

RECOMMENDATION

1. Ratify acceptance of construction for Well Abandonments 10, 17, and 20, Project 19-39, and authorization of the final contract payment.
2. Accept South Whisman Park (Pyramid Park), Project 21-45, and authorize the final contract payment.

BACKGROUND AND ANALYSIS

“Acceptance” of a construction contract is a legal event recognized by State law when the City verifies the contractor has satisfactorily completed a public project. Once accepted, the work on the public project is complete, and other actions occur, such as final payment to the contractor and the release of bonds obtained by the contractor, that ensure completion of the project. Following acceptance, the City becomes responsible for maintenance of the public project.

On [June 27, 2023](#), Council authorized the City Manager or designee to accept construction for Well Abandonments 10, 17, and 20, Project 19-39, with ratification by Council at their next meeting.

Well Abandonments 10, 17, and 20, Project 19-39

On [June 22, 2021](#), the City Council approved Plans and Specifications, authorized staff to advertise for bids, and authorized the City Manager to award a construction contract to the lowest responsible bidder for Well Abandonments 10, 17, and 20, Project 19-39, if the low bid is within the project budget. On August 10, 2021, the City received one bid from Nor-Cal Pump & Well Drilling, Inc., higher than the Engineer’s Estimate and the project budget. On [September 28, 2021](#), the City Council rejected the previous lone bid, appropriated and transferred funds to the project, authorized staff to rebid the project with modifications, and authorized the City Manager or designee to award a construction contract to the lowest responsible bidder, if the low bid is within the project budget. The contract was awarded to Abundant Water Wells, Inc., of Leona

Valley at the low-bid price of \$528,256. The project abandoned three municipal water wells, including removing well site piping, equipment, and appurtenances; and restoration of the well sites to prevent vertical movement of water between the aquifers and the ground surface.

The final construction cost of \$493,720 is within the construction contract amount of \$528,256 and included three contract change orders for the total amount of \$64,464 and a final quantity adjustment change order resulting in contract savings of \$34,536. All work was completed in accordance with the approved plans and specifications.

On August 2, 2023, the Assistant City Manager accepted this project and authorized the final contract payment.

Pyramid Park, Project 21-45

On [December 1, 2020](#), the City Council appropriated and transferred funds to the project, approved plans and specifications, authorized staff to advertise for bids, and authorized the City Manager to award a construction contract to the lowest responsible bidder for Pyramid Park, Project 21-45, if the low bid is within the project budget. On [August 24, 2021](#), the City Council authorized the City Manager or designee to execute an amendment to the construction contract to add \$300,000 in construction contingency. The contract was awarded to Marina Landscape Inc., of Orange at the low-bid price of \$4,058,389. The 2.76-acre park located at Pyramid Way and Infinity Way features an off-leash dog area, shade structures, open turf area, exercise equipment, basketball court, restroom building, public art, benches, trees/shrubs, picnic tables, barbecue, and play equipment.

The final construction cost of \$3,885,711 is within the construction contract amount of \$4,058,389 and included three contract change orders for the total amount of \$159,270 and a final quantity adjustment change order resulting in contract savings of \$172,678. All work has been completed in accordance with the approved plans and specifications.

FISCAL IMPACT

Well Abandonments 10, 17, and 20, Project 19-39

Well Abandonments 10, 17, and 20, Project 19-39, is funded with \$933,088 from the Water Fund. The total project expenditure is estimated to be approximately \$750,000, including design, project administration, construction management, inspection, and other costs. Any remaining funds will be returned to the Water Fund once the project is closed.

Pyramid Park, Project 21-45

Pyramid Park, Project 21-45, is funded with \$4,860,151 from the Park Land Dedication Fund. The total project expenditure is estimated to be approximately \$4,599,000, including design, project administration, construction management, inspection, and other costs. Any remaining funds will be returned to the Park Land Dedication Fund once the project is closed.

ALTERNATIVES

Determine that Pyramid Park, Project 21-45, improvements have not been completed in conformance with City standards and decline to accept the park improvements until they are completed to the satisfaction of the City Council.

PUBLIC NOTICING—Agenda posting.

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